Decision Notice
And Finding of No Significant Impact
Carter Mountain Vegetation Management
Environmental Assessment

USDA Forest Service
Wapiti Ranger District, Shoshone National Forest
Park County, Wyoming

Decision and Reasons for the Decision

Background

The Shoshone National Forest is initiating this proposal as part of implementing the Shoshone Land and Resource Management Plan (Forest Plan) (as amended). The Carter Mountain Vegetation Management Environmental Assessment (EA) discloses the environmental effects of implementing vegetative management activities in the Carter Mountain analysis area.

A severe spruce beetle epidemic in the Carter Mountain area has resulted in up to 90 percent mortality in the Englemann spruce trees, the dominant cover type. Some mortality is occurring in trees down to five inches in diameter. Since 2000, the spruce beetle infestation has increased from approximately 750 acres to almost 9,000 acres.

In response to concerns over this insect epidemic and how to manage post epidemic conditions, the Shoshone National Forest conducted an analysis of potential management actions. The analysis focused on three areas: 1) how to respond to the insect epidemic, 2) how to reduce wildfire risk and hazardous fuels, and 3) what transportation system is needed for current and future resource management.

This vegetation treatment proposal is located in northwest Wyoming approximately 18 miles southwest of Cody, Wyoming in Park County. The project is located on the Shoshone Forest in the Wapiti Ranger District. The legal description of the project area is T50N, R104W, portions of sections 24 and 25; T50N, R103W, portions of sections 8, 9, 10, 16, 20, 21; and T50N, R103W, portions of sections 11, 12, 13.

Purpose for Action

The main purpose of this project is to manage fuels and post insect epidemic conditions in order to attain the long-term desired conditions. This is being done to help ensure long-term sustainability of the analysis area, which is the basis for goals in the Forest Plan (as amended).

Based on review of the site-specific conditions and needs, the Purpose and Need, project goals (EA Section 1.4) and key issues, I chose to focus on the following management direction from the Forest Plan:

- Minimize the risk of wildfire by reducing natural accumulation of hazardous fuels to enhance fire suppression capability
- Maintain/enhance habitat effectiveness for big game and threatened and endangered species by implementing road closures and restrictions where road densities are excessive
- Restore proper soil/water functioning on substandard roads within the analysis area by improving to standard, relocation, closure, or decommissioning as appropriate
- Manage the timber resources on lands suitable for timber management to provide sawtimber, roundwood, and firewood to meet resource management objectives

Other Forest Plan direction such as that associated with water quality will be met through the implementation of standards and guidelines and Best Management Practices.

Decision

Based on my review of all the alternatives, applicable laws, the site-specific analysis documented in the EA, and public input received throughout the project planning and NEPA process, I have decided to implement Alternative 2 with one slight modification. The EA, Section 2.2.2, contains a detailed description of Alternative 2.

Project activities associated with this decision include:

- Commercial harvest of 2,484 acres of dead and dying timber, including 1,240 acres of treatment where fuel reduction is the emphasis and 1,244 acres of treatment where a combination of salvage and fuel reduction are emphasized. These harvests will yield an estimated 18 to 23 mmbf of commercial volume. (Because of the uncertainty of how much material will be merchantable at harvest time, volume is stated in an estimated range.)
- Prescribed burning on 1,440 acres to reduce fuels.
- Manage the transportation system to reduce impacts to wildlife, soils, and water resources while still allowing public access to the area. The management actions include:
    - Maintaining 16.7 miles of road for public access of which 4.0 miles are suitable for passenger cars and 12.7 are suitable for high clearance vehicles.
    - Realigning 1.2 miles of the road suitable for high clearance vehicles (FSR 474.2B) to protect soil and water resources while improving public access.
    - Seasonally close the 16.7 miles of road open for public access from December 1 to May 15 to reduce impacts to wildlife resources.
    - Decommission 16.7 miles of non-system roads that are not on the transportation system (unclassified) and identified as not needed for future resource management to reduce impacts to wildlife, soil, and water resources.
    - Permanently close 0.6 miles of road (FSR 474.1A and FSR 474.21) to reduce impacts to wildlife resources.

My decision also incorporates all the mitigation and project design measures found in Section 2.2.4 of the EA and the monitoring found in Section 2.3 of the EA.

My decision includes two modifications of Alternative 2 as it is presented in the EA. The rationale for these modifications is explained later in this decision notice.

- All treatments for aspen that include the cutting of live trees are not included in this decision. Opportunities for using KV to fund any future decisions on aspen work will be considered. Final dispensation of funding will be dependent on the timing of future decisions.
- Additional mitigation is added to reduce Douglas-fir beetle buildup: 1) Douglas-fir logs must be skidded to the landing before season shutdown (contract clause C6.48#), 2) Douglas-fir logs will be hauled from landings before Memorial Day each year, and 3) where feasible, slash disposal from these landings will be conducted before Memorial Day each year.

My decision requires a non-significant, site-specific amendment to the Forest Plan regarding the thermal cover within the analysis area. The amendment can be found in Appendix A of this Decision Notice. The amendment relates to the thermal cover standard to maintain a minimum of the forested area for thermal cover.

Project implementation is subject to budget and availability of funds and personnel. Figures for proposed treatments, units, acreages, and volumes are approximate and may vary depending on actual ground conditions.

Other Alternatives Considered

In addition to the selected alternative, I considered the No Action Alternative and one other action alternative. These alternatives are described in the EA (Section 2.2). A number of alternatives were also considered but eliminated from detailed study (EA Section 2.1)

Alternative 1 – No Action

Under the No Action Alternative, current management such as fire suppression, grazing administration for commercial livestock, road maintenance and closures, dispersed recreation, and weed control will continue at present levels. No silvicultural treatments will occur and no wood products will be offered for sale. This alternative does not address the purpose and need for reducing fuels, reducing impacts on soil, water, and wildlife resources, and providing wood products.

Alternative 3

Alternative 3 has many of the same objectives as Alternative 2, except that fewer acres are treated. The realignment of FSR 474.2B is not included; as a result, the units accessed on the east end of the project area (Units L2, L3, M1, M2, and N1) are not treated. In addition, Unit A1 is not treated.

Project activities associated with this alternative include:

- Commercial harvest of 1,457 acres of dead and dying timber, including 538 acres of treatment where fuel reduction is the emphasis and 919 acres of treatment where a combination of salvage and fuel reduction are emphasized. These harvests will yield an estimated 8 to 12 mmbf of commercial volume. (Because of the uncertainty of how much material will be merchantable at harvest time, volume is stated in an estimated range.)
- Prescribed burning on 1,320 acres to reduce fuels.
- Manage the transportation system to reduce impacts to wildlife, soils, and water resources while still allowing public access to the area. The management actions would be the same as Alternative 2, except that FSR 474.2B would not be realigned.

This alternative would also require a Forest Plan amendment to address a reduction in thermal cover that results from treatments.

Rationale For the Decision

I chose the alternative that best addresses the purposes for action discussed above. Of the four points under that purpose, the reduction of fuels to reduce the risk of large wildfires is the key action.

The No Action Alternative is not responsive to the purpose for action. Under the No Action Alternative, there would be no check on the accumulation of fuels that is occurring in the analysis area. Within the next five to 10 years, the standing dead, primarily spruce trees are expected to begin falling, adding to the already heavy fuel loading. These high fuel levels will make it difficult to control any fire that starts in the area and will also make it more likely that a fire could easily spread throughout a majority of the analysis area. The fuels build up is the primary reason for choosing an action alternative over the No Action Alternative.

Both action alternatives reduce fuels within the project area with the purpose of strategically locating areas that will have lower fire intensities. These areas of lower fuel loadings will provide an opportunity for fire crews to contain the growth of fires that may start in the project area. The main difference between Alternative 2 and Alternative 3 is that Alternative 3 does not extend fuels reduction into the eastern portion of the analysis area. Alternative 2 reduces fuels on 33% of the project area—this reduction improves the capability of a fire crew to contain fire growth on 80% of the analysis area and along 96% of the boundary between the Forest and private lands on the north and east. Alternative 3 reduces fuels on 24% of the project area, improving a fire crew's capability of containing fire growth on 60% of the analysis area and along 50% of the boundary between the Forest and private lands on the north and east. I

chose Alternative 2 because it provides the best opportunity to reduce fuels and control fires throughout the whole analysis area.

Two of the purposes for action deal with the transportation system and the effects that roads have on soil, water, and wildlife. An additional consideration that I factored into my decision on roads was the need to provide motorized public access to the area. Because of the large acreages of designated wilderness and inventoried roadless on the Shoshone, opportunities for this type of access are limited on the Forest. In the Carter Mountain area, many unclassified roads provide multiple access to the same areas. Alternative 2 includes two activities that reduce road impacts on soil and water resources while maintaining motorized access to the area:

- Decommissioning 16.7 miles of unclassified roads, cutting the miles of road in the project area by almost half, and reducing the actual acres impacted by roads by about 20%
- Realigning FSR 424.2B, moving the road away from a drainage where there is active erosion into a stream

Alternative 3 provides similar benefits but does not include realignment of FSR 424.2B. From a soil and water perspective, Alternative 2 provides the greater benefit.

Access to the area by fire crews was also an important part of my consideration of the transportation system. Both action alternatives maintain access for fire crews to respond to fires in a timely manner, improving the chances for wildfire containment. The realignment of FSR 424.2B will improve access to the eastern portion of the analysis area, making it easier for larger wildland fire engines to enter the area.

Alternatives 2 and 3 benefit wildlife in similar ways. Currently, 67% of habitat is within 500 meters of a road; reducing roads as described in the action alternatives will increase habitat security by lowering to 49% the amount of habitat within 500 meters of a road. Additionally, the seasonal closure (December 1 to May 15) will benefit wildlife during winter and spring, when species are most susceptible to disturbance. These improvements, along with the security provided by the South Fork Inventoried Roadless Area, provide more disturbance-free areas for wildlife.

The last purpose for action that I considered in the decision was providing wood products, including sawtimber and fuelwood—both action alternatives provide these opportunities. Though not the primary purpose, the activities use both timber harvest and fuelwood gathering as a way to utilize the fuels that are being removed from the site. These alternatives meet the Forest Plan goals of providing wood products while meeting the primary purpose of fuels reduction.

Both action alternatives meet the purposes for action outlined at the start. I chose Alternative 2 over Alternative 3 because it best reduces fuels while meeting the other purposes for action.

Decision Modification for Aspen

I chose to defer any decisions on cutting live trees for the purposes of enhancing aspen. I did this because of the uncertainty involved with determining what stand conditions will be after the insect epidemic runs its course. Though we know which trees are dying from the epidemic, it seems prudent to conduct additional field review after the treatments and before making a decision on what should be done for aspen. As discussed in the EA, some benefit to aspen will be realized simply from the death of conifers in the area. The benefits for aspen need to be balanced against the need for thermal and hiding cover; this will be easier to analyze once the treatments are completed. For that reason, I am deferring any decision on releasing aspen stands by cutting live conifers until a later date.

Mitigation Decision

In light of our commitment to maintain live trees on the landscape, I am adding additional mitigation to the decision to reduce Douglas-fir beetle buildup. In all Douglas-fir stands mitigation is included to remove logs and dispose of slash before Memorial Day each year. This mitigation will reduce the Douglas-fir beetle's successful use of downed logs and slash as brood material. The life history of Douglas-fir beetles lends itself to using this mitigation effectively; this mitigation has been used

successfully in the past. The mitigation was added in lieu of more aggressive sanitation techniques that would have removed high risk Douglas-fir trees from stands, regardless of insect infestation. The more aggressive sanitation would be at odds with our desire to maintain live tree cover and other habitat conditions. This mitigation will reduce some firewood opportunities, but there will still be plenty of other firewood opportunities to utilize spruce and lodgepole species.

Thermal Cover Amendment

As mentioned earlier, this decision requires a site-specific amendment for reducing thermal cover. Because of the insect epidemic, thermal cover levels are already below Forest Plan minimums. The mechanical treatments proposed do not decrease thermal cover because only dead trees will be removed—dead trees do not contribute to thermal cover. The treatment that reduces thermal cover by 33 acres in Alternative 2 is the burning that will be completed as a follow-up to the mechanical treatment. This follow-up jackpot burning is likely to kill some of the live trees in the stand and reduce the thermal cover. I decided to proceed with the reduction for two reasons. First, the 33 acres represents only a small percentage of the 616 acres of thermal cover in the project area; this reduction will not have a significant effect on habitat capability. Second, the fuels reduction plan for the area is designed to provide an interconnected line of strategically located stands through the area where fuels have been reduced. Allowing breaks in these interconnected stands would compromise the integrity of the plan, lowering its effectivness. Over the long term, the small reduction of thermal cover is worth the long-term benefit of reducing the risk of a large wildfire that would remove much more of the thermal cover.

Additional Considerations

I would like to spend some time discussing how my decision relates to some of the public comment received on this project.

Road closures or decommissioning were a concern of the County and some of the public; conversely, many groups and individuals were concerned over the proliferation of OHV use and how road density affects wildlife habitat. They felt strongly that road closures or decommissioning were needed. Road and access management is a contentious issue and closing roads is something I do not take lightly. However, when I review the area and look at the roads and access, leaving open the roads targeted for decommissioning will result in having many parallel roads approximately 0.5 miles or less apart. Alternative 2 provides a balance between differing public views. It addresses the need for wildlife habitat effectiveness during the critical seasons and for reasonable access for hunting, firewood gathering, and dispersed recreation. It also maintains access to popular areas such as Hidden Lakes.

Another public concern was with the treatments that will occur in old growth. Some mechanical treatment is planned in 63 acres of old growth stands. Those treatments will remove only dead trees, preserving old growth characteristics. Treatments are also designed to maintain some level of standing snags and down material. The remaining 894 acres of old growth in the analysis area are not impacted by mechanical treatment. The reduction of 99 acres of old growth in Alternative 2 is the result of the prescribed burning not associated with mechanical treatment. That burning will likely kill some of the live trees and reduce the crown closure below 40%. We used 40% crown closure as the cutoff for defining a mature stand as old growth. In some people's opinion, the stand would still be an old growth stand since fire is a natural occurrence. I decided to proceed with these treatments for the same reason to proceed with the impacts to thermal cover. It is important to maintain the integrity of the fuel reduction plan; the effects to old growth stands are minor. In addition, the remaining level of old growth meets the 10% Forest Plan standard.

Another public comment was that mechanical treatment actually increases fuel levels rather than reducing them. This is undoubtedly true if the treatment prescription looks only at harvesting timber and not at fuel levels. In this project, the primary purpose of the prescriptions is fuel reduction. For this reason whole tree skidding, yarding of unmerchantable material (YUM), and follow up jackpot burning are integral parts of the prescription. These actions, in conjunction with the mechanical treatments, will reduce fuel loadings in the stands.

One final comment that I would like to address is the effects of the treatments on the insect epidemic. As acknowledged in the EA, the treatments will have little effect on the spruce beetle epidemic. Some benefits will occur from the associated pine beetle and Douglas-fir beetle epidemic—the removal of brood trees will reduce the numbers of those beetles, slowing down the epidemic. This benefit is possible because those epidemics are less far along than the spruce beetle epidemic. The spruce beetles are at such a high level that there will be no such benefit.

In making my decision, I have reviewed the comments from scoping and the comments from the 30-day EA public comment period. I concur with the responses to the public comments found in Appendix B and Appendix C of the EA. The analysis in the EA addresses all issues to my satisfaction. Further, I believe the alternatives adequately address the issues raised during the process**.**

Public Involvement

The Carter Mountain Vegetation Management proposal was provided to the public and other agencies for comment during the scoping period, March 3 to April 10, 2003, and listed on the Schedule of Proposed Actions (SOPA). All comments received through scoping and the public involvement processes were considered in developing the issues and alternatives, which directed the analysis process. All correspondence is retained in the project file.

A legal notice for the availability of the predecisional EA was published on June 11, 2003. During the 30-day public comment period for the EA, 20 individuals or groups commented. The comments are summarized in Appendix C of the EA, along with the Forest Service response to the comments. Comments received within the 30-day comment period were from the Park County Commissioners, Natural Resources Defense Council/Louisa Willcox, Leonard Carlman, Bryan Wyberg, the State of Wyoming Office of Federal Land Policy, Cody Lumber, Wyoming Outdoor Council (WOC), Greater Yellowstone Coalition (GYC), American Wildlands (AW), Art and Shirley Bales, Hunt Oil Co./George Brown, Robert Horner, Meadowlark Audubon Board of Directors/Sean Sheehan, Bales Brothers Ranch/Steve Bales, James Lambert, Meredith Taylor, Fernanda Hittel, Intermountain Forest Association/Tom Troxel, Irma Lake Lodge/Roger Hollander, and Dan and Jan Blair.

Key Issues

The key issues represent those issues that the decision maker needs to consider in selecting an alternative. The key issues include significant issues as defined in NEPA regulations (40 CFR 1500.4[1]) that are used in the development of alternatives to the proposed action. The key issues received the most public and internal specialist concern. Guided by the Forest Plan, the ID Team developed mitigation measures and alternatives to the proposed action to address the key issues, comments, and concerns identified during scoping.

These key issues and the associated analysis questions that served as the basis for alternative formulation, and which were analyzed in depth, are listed below and described in detail in the EA, Section 1.7.

Wildfire Risk and Fuels Conditions

There is concern that the amount of fuels is increasing because of tree mortality from the insect infestation. There is an increased risk that high intensity wildfires will spread across administrative boundaries.

Insect and Disease Epidemics

Internally and externally, the extensive spruce beetle epidemic and effects to forest health were raised as a concern. Many commentors indicated that vegetation management is needed in the very near future to reduce the risk of large wildfires and to move vegetation toward Forest Plan standards. Mortality is also occurring from Douglas-fir beetles, mountain pine beetles, ips beetles, and diseases such as commandra rust and white pine blister rust.

Transportation System and Access Management

There is concern that management of the road system and travel management in the Carter Mountain area is not consistent with the Forest Plan. Road closures are ineffective, gates and signing are not to standard, unauthorized use is occurring in many areas, and compliance is inadequate. An increase in open road density may cause an unacceptable decrease in habitat effectiveness for several wildlife species.

Finding of No Significant Impact (FONSI)

Based on my review of the information and analysis in the Carter Mount Vegetation Management EA and the project file, I have determined that Alternative 2 as identified in this decision notice is not a major federal action that would significantly affect the quality of the human environment considering the context and intensity of impacts (40 CFR 1508.27). Thus, an environmental impact statement will not be prepared. I base my finding on the following:

Context

The effects of Alternative 2 are localized, with implications for only the immediate area. The cumulative effects analysis of past and future activities along with the current proposal are considered and analyzed in the EA. These effects were considered in my determination. Alternative 2 is consistent with the direction, standards, and guidelines outlined in the Shoshone Forest Plan as amended (except as covered in the site specific amendment for thermal cover in Appendix A).

Intensity

The intensity of activities in the selected alternative are evaluated below:

1. ***Impacts that may be both beneficial and adverse***. I considered beneficial and adverse impacts associated with the alternatives as presented in Chapter 3 of the EA. These impacts are within the range of effects identified in the Forest Plan. Impacts from Alternative 2 are not unique to the Carter Mountain Vegetation Management project. Previous projects involving similar activities have had non-significant effects. On this basis, I conclude that the direct, indirect, and cumulative effects of Alternative 2 are not significant.
2. ***Degree to which the proposed action affects public health and safety.*** I have considered the effects of this project on public safety and health and have determined that Alternative 2 will have no significant effects. Mitigation is included to place signs on access roads to alert Forest users of harvest operations and logging truck traffic during operations. Bear attractant (food storage) mitigation is included to avoid human/bear contacts (EA Section 2.2.4).
3. ***Unique characteristics of the geographic area such as proximity to historic or cultural resources, parkland, prime farmlands, cave resources, wetlands, wild and scenic rivers, inventoried roadless areas, wilderness areas or ecologically critical areas.*** Alternative 2 will not affect any unique characteristics or features of the geographic area. The #2049 South Fork Inventoried Roadless area is in the analysis area, but will not be affected as no mechanical methods or prescribed burning treatments are planned within the roadless area (EA Section 3.6).
4. ***Degree to which effects on the quality of the human environment are likely to be highly controversial.*** The anticipated effects associated with the implementation of Alternative 2 are disclosed in the EA, Chapter 3. The basic data and relationships are sufficiently well established in the respective sciences for me to make a reasoned choice between the alternatives, and to adequately assess and disclose the possible adverse environmental consequences. Though there is disagreement by some members of the public over whether treatments should be conducted, the environmental effects from those treatments are well understood. (Disagreement over the decision itself does not constitute controversy for determining significance under 40 CFR 1508.27.)
5. ***Degree of possible effects on the human environment is highly uncertain or involves unique or unknown risks***. Alternative 2 is similar to many past actions on the Shoshone National Forest. Based on the results of past actions and technical and professional insight and experience, I am confident that we adequately understand the effects of the harvest on the human environment. Based on the site-specific analysis, there are no unique or unusual characteristics about the area or

selected alternative that are highly uncertain, unique, or will indicate an unknown risk to the human environment (EA Chapter 3).

6. ***Degree to which action may establish precedent for future actions with significant effects or represents decision in principle about future considerations.*** The project is similar to other vegetation projects that have occurred on the Forest which implement direction found in the Forest Plan (EA Chapter 2). The action does not establish a precedent for future actions with significant effects or represent a decision in principle about a future consideration. Implementation of my decision will not trigger other actions, nor is it a part of a larger connected action.
7. ***Whether the action is related to other actions with individually insignificant but cumulatively significant impacts***. The effects from the project, when combined with other past, present, and reasonably foreseeable future activities are not expected to have any significant cumulative effects. The selected alternative will have a minor specific cumulative effect when added to the existing conditions (EA Section 3.10).
8. ***Degree to which action may adversely affect sites or projects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural or historic resources.*** The proposal meets laws for protection of heritage resources. As described in the EA in Section 3.8, heritage resources will not be affected by proposed activities. An Memorandum of Understanding is in places with the State Historic Preservation Office (SHPO) and stipulates that prior to any ground disturbing activities, a cultural resource survey and consultation with SHPO will be completed.
9. ***Degree to which action may adversely affect an endangered or threatened species or its habitat determined to be critical under the Endangered Species Act.*** The actions do not adversely affect any threatened or endangered species or its habitat that have been determined to be critical under the ESA of 1973 (EA Section 3.2.2.) The Biological Assessment (BA) prepared for this project describes the findings for threatened and endangered species. That analysis is incorporated in the EA (Section 3.2.2). The determinations from the BA are: 1) not likely to jeopardize the wolf, or adversely modify proposed critical habitat, 2) may affect, but are not likely to adversely affect the grizzly bear, and 3) may affect, but are not likely to adversely affect the Canada lynx or its habitat. A Biological Opinion was received from the U.S. Fish and Wildlife Service concurring with the determinations.
10. ***Whether the action threatens violation of federal, state, or local laws or requirements imposed for protection of the environment.*** This action complies with all federal, state, and local laws and requirements for the protection of the environment. Applicable laws and regulations were considered in the EA: laws and regulations on forest management practices (EA Section 3.1.3), Clean Water Act (EA Section 3.3), Endangered Species Act (EA Section 3.2.2), heritage resources (EA Section 3.8), environmental justice (EA Section 3.9), and transportation policy (EA Section 3.5). Executive Orders 11988 and 11990, dealing with floodplains and wetlands, will be complied with under the proposed action (EA Section 3.3.3). It meets National Forest Management Act requirements and National Environmental Policy Act disclosure requirements.

Findings Required by other Laws and Regulations

The decision to implement Alternative 2 is consistent with the intent of the Forest Plan's long-term goals and objectives (EA Sections 1.3 and 1.4). The project is designed in conformance with Land and Resource Management Plan standards/guidelines, many of which are referenced in the EA (Section 2.2.4). The exception to conformance with the Forest Plan is the thermal cover standard, which is amended in Appendix A.

Administrative Review or Appeal Opportunities

Pursuant to 36 CFR 215 this decision can be appealed. Any written appeal must be postmarked or received by the Appeal Deciding Officer within 45 days after the publication of a legal notice in the *Cody Enterprise*. The publication date of the legal notice in the *Cody Enterprise* is the only means for calculating the time to file an appeal. Only those organizations or individuals that submitted substantive comments during the 30-day comment period that started June 11th 2003 may appeal this decision (36 CFR 215.13). Appeals must meet the following content requirements at 36 CFR 215.14:

(a) It is the appellant's responsibility to provide sufficient project- or activity-specific evidence and rationale, focusing on the decision, to show why the Responsible Official's decision should be reversed (paragraph (b)(6-9)).

(b) The appeal must be filed with the Appeal Deciding Officer Sec. 215.8 in writing. At a minimum, an appeal must include the following:

(1) Appellant's name and address (Sec. 215.2), with a telephone number, if available;

(2) Signature or other verification of authorship upon request (a scanned signature for electronic mail may be filed with the appeal);

(3) When multiple names are listed on an appeal, identification of the lead appellant (Sec. 215.2) and verification of the identity of the lead appellant upon request;

(4) The name of the project or activity for which the decision was made, the name and title of the Responsible Official, and the date of the decision;

(5) The regulation under which the appeal is being filed, when there is an option to appeal under either this part or part 251, subpart C (Sec. 215.11(d));

(6) Any specific change(s) in the decision that the appellant seeks and rationale for those changes;

(7) Any portion(s) of the decision with which the appellant disagrees, and explanation for the disagreement;

(8) Why the appellant believes the Responsible Official's decision failed to consider the substantive comments; and

(9) How the appellant believes the decision specifically violates law, regulation, or policy.

Send CFR 215 appeals to:

USDA Forest Service, Region 2
Rocky Mountain Region
Attn.: Appeal Deciding Officer

U.S. Mail: P O Box 25127
Lakewood, CO 80225-0127

Hand delivered: 740 Simms Street
Golden, CO 80401-4720

Office Hours: 8:00 am to 4:30 pm MT

Fax number: 303.275.5134

Faxed appeals must be followed by hard copy, including all attachments, postmarked on or before the last day of the appeal period.

Appeals may be mailed electronically to: appeals-rocky-mountain-regional-office@fs.fed.us. Electronically submitted appeals must be in one of the following formats: MS Word, Word Perfect, Text, or RTF. Place the project name in the subject line of your message.

Implementation Date

Pursuant to 36 CFR, Section 215.10(a), if no appeal is filed, implementation of this decision may occur on, but not before, five (5) business days from the close of the appeal filing period. If an appeal is received, implementation may not occur for 15 days following the date of the appeal disposition [36 CFR Sec. 215.10 (b)]. The decision will be implemented on or after these times.

Contact Person

For additional information concerning this decision, please contact NEPA Coordinator Marty Sharp at North Zone/Wapiti Ranger District, 203 A Yellowstone Ave., Cody, WY 82414, phone (307) 527-6921 or the Responsible Official, 808 Meadow Lane Ave., Cody, WY 82414-4516, (307) 527-6241.

A copy of the EA is available for public review at the Wapiti Ranger District Office or upon request. It is also on the Shoshone National Forest home page, at http://www.fs.fed.us/r2/shoshone/forestmgt/nepa/projectinfo.htm

Responsible Official

REBECCA AUS
Forest Supervisor

Date

Appendix A

Non-significant, Site Specific Amendment to the Forest Plan
Carter Mountain Vegetation Management EA
Thermal Cover Standards
Shoshone National Forest

Background

This amendment has been prepared because a minor change to a Forest Plan standard and guideline needs to be made in order to implement the Carter Mountain Vegetation Management project (FSM 1922.5). This amendment is non-significant (*see* discussion below) and applies only to the Carter Mountain analysis/ project area. This amendment applies only for the implementation of Alternative 2 per my decision and does not apply to future projects in this area.

As noted in my decision:

> As mentioned earlier, this decision requires a site-specific amendment for reducing thermal cover. Because of the insect epidemic, thermal cover levels are already below Forest Plan minimums. The mechanical treatments proposed do not decrease thermal cover because only dead trees will be removed—dead trees do not contribute to thermal cover. The treatment that reduces thermal cover by 33 acres in Alternative 2 is the burning that will be completed as a followup to the mechanical treatment. This followup jackpot burning is likely to kill some of the live trees in the stand and reduce the thermal cover. I decided to proceed with the reduction for two reasons. First, the 33 acres represents only a small percentage of the 616 acres of thermal cover in the project area; this reduction will not have a significant effect on habitat capability. Second, the fuels reduction plan for the area is designed to provide an interconnected line of stands through the area where fuels have been reduced. Allowing breaks in these interconnected stands would compromise the integrity of the plan, lowering its effectivness. Over the long term, the small reduction of thermal cover is worth the long-term benefit of reducing the risk of a large wildfire that would remove much more of the thermal cover.

Significance

The remainder of this amendment evaluates factors in assessing the significance of this amendment (FSH 1909.12 (5.32)):

Timing

This action takes place during the planning period. The current Forest Plan is scheduled to be revised within the next four years. This amendment will cause no significant change in the plan over the remainder of the planning period.

Location and Size

The planning area for this action is 11,724 acres and the actual effect will occur on 33 acres. This area is insignificant in relationship to the 2.4 million acres covered by the Forest Plan. This amendment will have negligible effect on the Forest Plan.

Goals, Objectives, and Outputs

This change is small in relationship to the projections made in the Forest Plan. The change does not significantly alter the long-term relationship between levels of multiple-use goods and services originally projected in the Forest Plan

Management Prescriptions

This change does not apply to future actions. This change does not alter the desired future condition for the project area, nor does it change the anticipated outputs.

Conclusion

Based upon the evaluation of the above factors this amendment is not a significant change to the Forest Plan.

Appropriate public notification has been made as per 16 USC 1604 (f) (4). Scoping occurred in the spring of 2003. Project status was maintained on the Forest's SOPA list and public Internet site. Section 1.8 of the EA describes the decision to be made for the Carter Mountain Vegetation Management Project, Sections 1.4, and 3.2.1 of the EA describe desired vegetation conditions for thermal cover and the need to reduce thermal cover in the short term to restore long-term sustainability of desired vegetation conditions in the area. A legal notice of the availability of the pre-decisional EA was published in the *Cody Enterprise* on June 11, 2003.

/s/ *Rebecca Aus* *September 5, 2003*

REBECCA AUS
Forest Supervisor

Date